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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/002,491	11/15/2001	Brett P. Monia	RTS-0239	2236

7590 08/08/2003

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[REDACTED] EXAMINER

MCGARRY, SEAN

[REDACTED] ART UNIT [REDACTED] PAPER NUMBER

1635

DATE MAILED: 08/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Response to Amendment

The reply filed on 5/20/03 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): 37 CFR 1.143 requires that [an therefore for a response to the previous office action to be complete] an election of the invention to be examined even though the requirement be traversed. It is noted that the prior Official Action did not present the following in regard to the linking claims of the Restriction requirement.

Claim 1 link(s) the inventions of claim 3. The restriction requirement between the linked inventions is subject to the nonallowance of the linking claim(s), claim 1. Upon the allowance of the linking claim(s), the restriction requirement as to the linked inventions shall be withdrawn and any claim(s) depending from or otherwise including all the limitations of the allowable linking claim(s) will be entitled to examination in the instant application. Applicant(s) are advised that if any such claim(s) depending from or including all the limitations of the allowable linking claim(s) is/are presented in a continuation or divisional application, the claims of the continuation or divisional application may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application. Where a restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no longer applicable. *In re Ziegler*, 44 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

Claims 2, 4-20 are generic to the elected invention

See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid

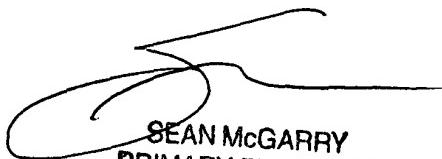
abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sean R McGarry whose telephone number is (703)305-7028. The examiner can normally be reached on M-Th (6:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John LeGuyader can be reached on (703) 308-0447. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-4242 for regular communications and (703) 872-9307 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0196.

SRM
August 08, 2003



SEAN McGARRY
PRIMARY EXAMINER
1635